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UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
NORTH CENTRAL DIVISION

1942 AGRICULTURAL CONSERVATION PROGRAM  
FOR THE  
NORTH CENTRAL REGION

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The 1942 Farm Program gives all farmers an opportunity to work together to save their soil and its fertility, to earn a fair share of the national income, to assure consumers of abundance, and to increase the production of the commodities needed for national defense.

Farmers who cooperate in the 1942 program will be able to earn payments by using approved soil-building practices to build up their soil, and by planting within acreage allotments for corn, wheat, tobacco, cotton, and potatoes. Full payments for planting within allotments can be earned only if at least 20 percent of the cropland on the farm is devoted to approved soil-conserving uses. Farmers who cooperate in the program can also obtain commodity loans, parity payments, and wheat and cotton crop insurance.

The program is authorized by the Soil Conservation and Domestic Allotment Act as amended, the Agricultural Adjustment Act of 1938 as amended, and other acts. The provisions of the program are subject to such laws affecting the program as Congress may enact and are dependent upon the appropriation of funds by Congress. The amounts of the payments will be within the limits determined by those funds, which will be distributed in accordance with the provisions of the Act. The rates of payment and deduction for any commodity or other item may be increased or decreased by as much as 10 percent as an adjustment for participation.

The 1942 program year begins October 1, 1941, and ends September 30, 1942.

Section 1.—DEFINITIONS

(1) **North Central Region** means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

(2) **State committee** means the group of persons designated within any State to assist in the administration of the agricultural conservation programs.

(3) **County committee** means the group of persons elected within any county to assist in the administration of the agricultural conservation programs.

(4) **Community committee** means the group of persons elected within any township to assist in the administration of the agricultural conservation programs.

(5) **Farm outside the range area** means all adjacent or nearby farm land under the same ownership, whether operated by one person or field-rented in whole or in part to one or more persons, and constituting a unit with respect to the rotation of crops. A farm may include any adjacent or nearby farm land if the county committee determines that: (a) the entire area of land is operated by the one person as part of one unit in the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land; (b) the separately owned tracts constitute a farming unit for the operator and will be regarded in the community as constituting one farm in 1942.

**Farm in the range area** means all adjacent or nearby farm land operated by one person as a farming or ranching unit, including land owned by different persons and including tracts field-rented to other persons.

A tract of land will not be considered as a farm unless (a) it contains at least 3 acres of farm land, other than timber or waste land, or (b) the gross income normally obtained each year from the production of crops on the land (other than timber products) is at least \$100.

A farm is regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling on the farm, it is regarded as located in the county in which the major portion of the farm is located.

(6) **Cropland** means farm land which in 1941 was tilled or was in regular rotation, excluding any land in commercial orchards and any land which constitutes, or will constitute, if such tillage is continued, a soil-erosion hazard to the community.

Land that was **not** tilled in regular rotation between January 1, 1937, and January 1, 1942, will not be considered as in regular rotation in 1941 unless such land is suitable for tillage without clearing, draining, or irrigating, and is definitely equal to or superior to the land in the community used for tillage and will be used for tillage in the normal course of the crop rotation on the farm.

In the range area, land that never has been tilled will not be classified as cropland. Land previously classified as restoration land, later reclassified as noncrop, open-pasture, or range land, and then plowed or cropped, will not be classified as cropland.

Land devoted to forest trees on January 1, 1942, will be considered as noncropland unless it has been devoted since January 1, 1936, to the production of intertilled crops, small-grain crops, or conserving crops.

(7) **The range area.**—The range conservation program is combined with the agricultural conservation program in the range area. This area consists of the following counties:

**South Dakota:** Armstrong, Bennett, Brule, Buffalo, Butte, Campbell, Charles Mix, Corson, Custer, Dewey, Edmunds, Fall River, Faulk, Gregory, Haakon, Hand, Harding, Hughes, Hyde, Jackson, Jones, Lawrence, Lyman, McPherson, Meade, Mellette, Pennington, Perkins, Potter, Shannon, Stanley, Sully, Todd, Tripp, Walworth, Washabaugh, Washington, and Ziebach.

**Nebraska:** Arthur, Banner, Blaine, Box Butte, Brown, Chase, Cherry, Cheyenne, Custer, Dawes, Deuel, Dundy, Garden, Garfield, Grant, Hayes, Holt, Hooker, Keith, Keyapaha, Kimball, Lincoln, Logan, Loup, McPherson, Morrill, Perkins, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, and Wheeler.

(8) **Semiarid Area.**—This area consists of the following counties:

**Nebraska:** All counties except Burt, Cass, Dakota, Dixon, Douglas, Johnson, Nemaha, Otoe, Pawnee, Richardson, Sarpy, Thurston, and Washington.

**South Dakota:** All counties except Brookings, Clay, Deuel, Grant, Lincoln, Minnehaha, Moody, Roberts, and Union.

(9) **Person** means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, and, wherever applicable, a State or political subdivision of a State, or any agency thereof.

(10) **Landlord or owner** means a person who owns land.

(11) **Tenant** means a person other than a sharecropper who rents land from another person (whether or not he rents such land or part thereof to another person) and is entitled under a written or oral lease or agreement to receive all or a share of the crops produced on that land.

(12) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced on that farm.

(13) **Noncrop open pasture land** means pasture land (other than rotation pasture land) including range land on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland, and in addition land designated as restoration land in 1941.

(14) **Grazing capacity of noncrop open pasture land** means the number of animal units which such land will sustain on a 12-month basis over a period of years without decreasing the stand of grass or other grazing vegetation and without injury to the forage, tree growth, or watershed.

(15) **Animal unit** means the unit of measurement used to denote grazing capacity. An animal unit as used herein shall be 1 cow, 1 horse, 5 sheep, 5 goats, 2 calves, or 2 colts, or the equivalent.

(16) **Special crop** means corn, wheat, tobacco, cotton, or potatoes.

(17) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, or bush fruits (excluding nonbearing orchards and vineyards), from which the major portion of the production is normally sold.

## Section 2.—ALLOTMENTS, YIELDS, AND PERMITTED ACREAGES

(1) The county committee with the assistance of the community committee will determine the following in accordance with instructions: (a) acreage allotments and normal yields for corn, wheat, tobacco, cotton, and potatoes, (b) permitted acreages of wheat for farms on which wheat will be seeded for harvest in 1942 and on which no wheat was seeded for harvest in 1939, 1940, and 1941, (c) permitted acreages of tobacco for farms on which tobacco will be produced in

1942 for the first time since 1936, and (d) permitted acreages of cotton for farms on which cotton will be planted in 1942 and on which no cotton was planted in 1939, 1940, and 1941.

### Section 3.—WHEAT

(1) **Non-wheat-allotment farm** means any farm for which no wheat allotment is determined or for which a wheat allotment of 15 acres or less is determined and the acreage seeded to wheat exceeds the allotment by 10 percent or more.

(2) **Acreage planted to wheat** means (a) the acreage seeded to wheat excluding a **wheat mixture**; (b) the acreage of volunteer wheat which remains on the land after May 15, 1941: *Provided*, That all or any part of any wheat acreage determined by the county committee to have been totally destroyed by any cause beyond the control of the operator may be considered as not having been planted to wheat if it cannot be reseeded and with prior approval of the county committee is later replaced by other acreage of seeded or volunteer wheat.

(3) **Wheat mixture** means a mixture of wheat and other small grains (excluding vetch) containing when seeded less than 50 percent by weight of wheat or not less than 25 percent by weight of rye or barley, which are seeded in the same operation and may reasonably be expected to produce a crop containing such proportions of plants other than wheat that the crop could not be harvested as wheat for grain or seed. An acreage will not be considered as having been devoted to a wheat mixture if the crops other than wheat fail to reach maturity and the wheat is permitted to reach maturity.

(4) **Payment**.—10.5 cents per bushel of the normal yield of wheat for the farm for each acre in the wheat acreage allotment. No wheat payment will be computed for a nonwheat-allotment farm.

(5) **Deduction**: (a) **Wheat-allotment farms**.—\$1.05 per bushel of the normal yield for the farm for each acre planted to wheat on the farm in excess of the wheat allotment.

(b) **Non-wheat-allotment farm**.—\$1.05 per bushel of the normal yield for the farm for each acre of wheat on the farm harvested for any purpose after reaching maturity, in excess of 15 acres, or on new wheat farms the larger of 15 acres or the permitted acreage.

### Section 4.—CORN

(1) **Commercial corn area** means counties which have produced an average of at least 450 bushels of corn per farm and 4 bushels of corn per acre of farm land during the past 10 years. It also includes bordering counties containing townships producing and likely to produce an average of 450 bushels of corn per farm and 4 bushels of corn per acre of farm land.

The counties in the North Central Region in this area are:

**Illinois**: All counties *except* Franklin, Jefferson, and Williamson.

**Indiana**: All counties *except* Brown, Clark, Crawford, Floyd, Harrison, Jefferson Ohio, Perry, and Switzerland.

**Iowa**: All counties.

**Michigan**: Berrien, Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, St. Joseph, Washtenaw, and Wayne.

**Minnesota**: Big Stone, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Grant, Hennepin, Houston, Jackson, Kandiyohi, Lac Qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Pope,

**Redwood, Renville, Rice, Rock, Scott, Sibley, Stearns, Steele, Stevens, Swift, Traverse, Wabasha, Waseca, Washington, Watonwan, Winona, Wright, and Yellow Medicine.**

**Missouri:** Adair, Andrew, Atchison, Audrain, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cooper, Daviess, De Kalb, Dunklin, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Marion, Mercer, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Pemiscot, Perry, Pettis, Pike, Platte, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Vernon, and Worth.

**Nebraska:** All counties *except* Arthur, Banner, Blaine, Box Butte, Boyd, Brown, Cherry, Cheyenne, Dawes, Deuel, Dundy, Garden, Garfield, Grant, Holt, Hooker, Keith, Keyapaha, Kimball, Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, and Wheeler.

**Ohio:** All counties *except* Ashtabula, Athens, Belmont, Carroll, Columbiana, Cuyahoga, Gallia, Geauga, Guernsey, Harrison, Hocking, Jefferson, Lake, Lawrence, Mahoning, Meigs, Monroe, Morgan, Noble, Portage, Summit, Trumbull, Tuscarawas, Vinton, and Washington.

**South Dakota:** Bon Homme, Brookings, Clay, Deuel, Grant, Hamlin, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Minnehaha, Moody, Roberts, Turner, Union, and Yankton.

**Wisconsin:** Columbia, Crawford, Dane, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk, and Walworth.

(2) **Non-corn-allotment farm** means a farm in the commercial corn area for which no corn allotment is determined, or for which a corn allotment of 15 acres or less is determined and the acreage planted to corn exceeds the allotment by 10 percent or more.

(3) **Acreage planted to corn** means the acreage of land on which field corn is planted (except any acreage of sown corn used as a cover crop or green manure crop) and the acreage of sweet corn used for livestock feed. All or any part of any corn acreage totally destroyed by flood, insects, or any other cause beyond the control of the operator, which is later replaced by other acreage planted to corn on the farm, with prior approval of the county committee, may be considered as not having been planted.

(4) **Payment.**—8 cents per bushel of the normal yield of corn for the farm for each acre in the corn allotment. No corn payment will be computed for a non-corn-allotment farm.

(5) **Deduction:** (a) **Corn-allotment farms.**—80 cents per bushel of the normal yield for the farm for each acre planted to corn in excess of the corn allotment.

(b) **Non-corn-allotment farms.**—80 cents per bushel of the normal yield for the farm for each acre planted to corn in excess of 15 acres.

## Section 5.—TOBACCO

(1) **Payment.**—The following number of cents per pound of the normal yield per acre of tobacco for the farm for each acre in the tobacco allotment for each of the following kinds of tobacco:

	<i>Cents per lb.</i>	<i>Cents per lb.</i>
(a) Burley	0.7	(c) Cigar filler and binder
(b) Dark air-cured	.9	0.7

(2) **Deduction.**—The following number of cents per pound of the normal yield per acre of tobacco for the farm for each acre of tobacco harvested in excess of the applicable tobacco allotment or permitted acreage:

	<i>Cents per lb.</i>	<i>Cents per lb.</i>
(a) Burley	7	(c) Cigar filler and binder
(b) Dark air-cured	9	7

## Section 6.—POTATOES

(1) **Commercial potato producer:** A. **Regular commercial potato producer** is a producer who has harvested an average of 3 acres or more of potatoes in the years 1939, 1940, and 1941, or a producer who has been harvesting less than 3 acres but who the county committee determines will harvest 3 acres or more of potatoes in 1942.

B. **New commercial potato producer** is a producer who has not harvested potatoes in any one of the years 1939, 1940, and 1941, but who has indicated that he will harvest 3 acres or more of potatoes in 1942 and requests that a new potato allotment be established.

(2) **Acreage of potatoes harvested** means the acreage of land from which potatoes are harvested or on which potatoes reach maturity except the acreage of potatoes grown in home gardens for use on the farm.

(3) **Payment.**—2 cents per bushel of the normal yield of potatoes for the farm for each acre in the potato allotment. No payment will be computed with respect to any farm on which no potatoes were harvested in any of the three years 1939 to 1941 and the operator of which did not harvest any potatoes on any other farm during this period.

(4) **Deduction.**—20 cents per bushel of the normal yield of potatoes for the farm for each acre of potatoes harvested in excess of the larger of the potato allotment or 3 acres.

## Section 7.—COTTON

(1) **Acreage planted to cotton** means the acreage of land seeded to cotton, except (a) any acreage in excess of the allotment or permitted acreage disposed of before the stage of growth at which bolls are first formed or within ten days after notice of the amount of excess acreage is given the operator of the farm, whichever is later, and (b) any acreage on which substantially all of the cotton produced is determined to be cotton the staple of which is  $1\frac{1}{2}$  inches or more in length.

(2) **Payment.**—1.25 cents per pound of the normal yield of cotton for the farm for each acre in the cotton acreage allotment.

(3) **Deduction.**—12.5 cents per pound of the normal yield of cotton for the farm for each acre planted to cotton in excess of the cotton acreage allotment or permitted acreage.

## Section 8.—MINIMUM SOIL-CONSERVING REQUIREMENTS

The net payment for any farm in connection with special-crop allotments shall be subject to a deduction of 5 percent of the maximum payment computed for special crop allotments for each 1 percent by which the acreage of cropland on the farm devoted exclusively throughout the 1942 crop year to one or more of the following uses is less than 20 percent of the cropland on the farm. This deduction shall not exceed the net payment computed for the farm for special-crop acreage allotments.

(a) Perennial grasses or legumes, including new seedlings if seeded alone or with a nurse crop pastured or clipped green and left on the land.

(b) Biennial legumes, lespedeza, or annual sweetclover, including new seedlings if seeded alone or with a nurse crop pastured or clipped green and left on the land.

(c) Sudan, millet, or annual ryegrass for pasture.

- (d) Green manure or go-down crops, qualifying for soil-building payment.
- (e) Summer fallow qualifying for soil-building payment.
- (f) Forest trees planted on cropland since 1935.
- (g) Austrian winter peas or vetch, grown for seed.
- (h) Land qualifying for soil-building payment under the weed-control practice.
- (i) Idle cropland on which approved terraces are constructed during the 1942 crop year.
- (j) Rye for pasture; or sweet sorghums, oats, rye, Sudan, or millet, cut green for hay, provided a strip 1 rod wide is left standing between each 5-rod strip harvested. (Applicable only in the semiarid area in Nebraska and South Dakota).

On farms of less than 20 acres of cropland, the soil-conserving acreage requirement may be met in whole or in part by growing green manure crops qualifying for soil-building payment, or by seeding, prior to October 1, 1942, winter cover crops of small grains (other than wheat), Austrian winter peas, or a similar crop commonly used in the community for winter cover, regardless of any other use of the same land during the 1942 crop year.

#### Section 9.—MISCELLANEOUS DEDUCTIONS

(1) **Failure to prevent wind and water erosion.**—\$1.00 for each acre of land in the range area for which there are not carried out in 1942 conservation methods specified by the county committee and approved by the State committee.

(2) **Breaking out native sod.**—\$3.00 for each acre of native sod, land previously designated as restoration land which has been reclassified as noncrop open pasture, or any other land in the range area on which a permanent vegetative cover has been established, broken out during the program year, except the acreage broken out with the approval of the county committee for planting trees or as a good farming practice for which an acreage of cropland is restored to permanent vegetative cover.

(3) **Deduction for failure to maintain practices under previous programs.**—Where the county committee, in accordance with instructions of the State committee, determines that (1) any terrace constructed, water development established, forest trees planted, or pasture established under any previous agricultural conservation program are not maintained in accordance with good farming practices, (2) any seeding of perennial legumes or grasses is destroyed after producers in the county have been generally informed that the destruction of such legumes or grasses is contrary to good farming practice, or (3) the effectiveness of any soil-building practice carried out under any previous program is destroyed during the 1942 program year contrary to good farming practice, there shall be deducted an amount equal to the payment that would be made under the 1942 program for a similar amount of such practice from the net payment due the person on the same or any other farm in the county who was responsible for the failure to maintain such practices. In the event the amount of such deduction exceeds the amount of payment for the producer subject to deduction, the amount of such difference shall be paid by the producer to the Secretary.

#### Section 10.—DIVISION OF PAYMENTS AND DEDUCTIONS

(1) **Allotment payments and deductions.**—The net payment or net deduction computed for any farm for any crop for which a

special allotment is determined will be divided among the landlords, tenants, and sharecroppers in the proportion that they are determined to be entitled, as of the time of harvest, to share in the crops in 1942. This determination will be made at the time the county committee approves the application for payment. Any person who receives a portion of a crop as a fixed commodity payment will not be regarded for that reason as receiving a share of the crop.

If any crop for which a payment is computed is not grown on the farm in 1942, or the acreage of the crop is substantially reduced by flood, hail, drought, insects, or plant-bed disease, the net payment for the crop will be divided among the landlords, tenants, and sharecroppers as the county committee determines that such persons would have been entitled to share in the crop if the entire allotment had been planted and harvested in 1942.

In cases where two or more separately owned tracts of land comprise a farm and all persons who are entitled to receive a share of the crops agree as shown by their signatures on the application for payment, the share of each such person in the net payment or net deduction for the crops shall be that share which the county committee determines fairly reflects the contribution of each such person to performance for the crops.

If for any reason the total acreage of cotton on the farm in 1942 is less than 80 percent of the cotton acreage allotment for the farm and the acreage of cotton which is or would have been grown by any producer in 1942 is not substantially proportionate to the acreage of cotton which such producer would normally grow, and all the persons who are or would have been entitled to receive a share of the proceeds of the cotton agree, as shown by their signatures on the application for payment or a separate statement, the net payment or net deduction computed for cotton for the farm will be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire cotton allotment had been planted and harvested in 1942, but in no event will the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1942.

(2) **Soil-building-practice payments.**—The net payment earned by carrying out soil-building practices shall be paid to the landlord, tenant, or sharecropper who carried out the practices. If more than one person contributed to the carrying-out of soil-building practices on the farm, the net payment shall be divided in the proportion that the county committee determines each person contributed to the carrying-out of the practices. In making this determination, the county committee shall take into consideration the value of the labor, equipment, or material contributed by each person toward the carrying-out of each soil-building practice on a particular acreage, assuming that each person contributed equally unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion.

(3) **Miscellaneous deductions.**—The deductions with respect to (1) failure to prevent wind and water erosion, (2) breaking out native sod, and (3) failure to maintain soil-building practices carried out under previous programs shall be divided among the persons re-

sponsible for such acts or failures to act in the proportion that the county committee finds such persons were responsible.

(4) **Minimum conserving acreage deduction.**—The deductions for failure to meet the minimum conserving acreage requirement shall be regarded as pro rata deductions with respect to the net payment computed in connection with crop acreage allotments.

(5) **Proration of net deductions.**—If for any farm the sum of the net payments for all persons exceeds the sum of the net deductions for all persons, the sum of the net deductions will be prorated among the persons for whom a net payment is computed, on the basis of such computed net payments. If for any farm the sum of the net deductions for all persons equals or exceeds the sum of the net payments for all persons, no payment will be made and the amount of the net deductions in excess of the net payment will be prorated among the persons for whom a net deduction is computed, on the basis of such computed net deductions.

### Section 11.—INCREASE IN SMALL PAYMENTS

The total payment computed for any person for any farm will be increased as follows:

- (1) Any payment amounting to 71 cents or less will be increased to \$1.00;
- (2) Any payment amounting to more than 71 cents but less than \$1.00 will be increased by 40 percent;
- (3) Any payment amounting to \$1.00 or more will be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1 to \$1.99	\$0.40	\$22 to \$22.99	8.40	\$43 to \$43.99	12.30
\$2 to \$2.99	.80	\$23 to \$23.99	8.60	\$44 to \$44.99	12.40
\$3 to \$3.99	1.20	\$24 to \$24.99	8.80	\$45 to \$45.99	12.50
\$4 to \$4.99	1.60	\$25 to \$25.99	9.00	\$46 to \$46.99	12.60
\$5 to \$5.99	2.00	\$26 to \$26.99	9.20	\$47 to \$47.99	12.70
\$6 to \$6.99	2.40	\$27 to \$27.99	9.40	\$48 to \$48.99	12.80
\$7 to \$7.99	2.80	\$28 to \$28.99	9.60	\$49 to \$49.99	12.90
\$8 to \$8.99	3.20	\$29 to \$29.99	9.80	\$50 to \$50.99	13.00
\$9 to \$9.99	3.60	\$30 to \$30.99	10.00	\$51 to \$51.99	13.10
\$10 to \$10.99	4.00	\$31 to \$31.99	10.20	\$52 to \$52.99	13.20
\$11 to \$11.99	4.40	\$32 to \$32.99	10.40	\$53 to \$53.99	13.30
\$12 to \$12.99	4.80	\$33 to \$33.99	10.60	\$54 to \$54.99	13.40
\$13 to \$13.99	5.20	\$34 to \$34.99	10.80	\$55 to \$55.99	13.50
\$14 to \$14.99	5.60	\$35 to \$35.99	11.00	\$56 to \$56.99	13.60
\$15 to \$15.99	6.00	\$36 to \$36.99	11.20	\$57 to \$57.99	13.70
\$16 to \$16.99	6.40	\$37 to \$37.99	11.40	\$58 to \$58.99	13.80
\$17 to \$17.99	6.80	\$38 to \$38.99	11.60	\$59 to \$59.99	13.90
\$18 to \$18.99	7.20	\$39 to \$39.99	11.80	\$60 to \$185.99	14.00
\$19 to \$19.99	7.60	\$40 to \$40.99	12.00	\$186 to \$199.99	(1)
\$20 to \$20.99	8.00	\$41 to \$41.99	12.10	\$200 and over	(2)
\$21 to \$21.99	8.20	\$42 to \$42.99	12.20		

<sup>1</sup> Increase to \$200.

<sup>2</sup> No increase.

### Section 12.—PAYMENTS LIMITED TO \$10,000

The total of all payments for the 1942 programs under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate for farms and ranching units located within a single State will not exceed \$10,000. The total of all such payments to any person other than an individual, partnership, or estate upon farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) will not

exceed \$10,000. These limitations will be applied prior to the deduction for association expense in the county or counties for which the particular payment is made.

All or any part of any payment which has been or otherwise would be made to any person under the 1942 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, or trust, which was designed to evade, or would have the effect of evading, the provisions of this section.

#### Section 13.—DEDUCTIONS INCURRED ON OTHER FARMS

(1) **Other farms in the same county.**—A landlord's or tenant's share of the net deduction for the farm will be deducted from his share of any net payment which would otherwise be made to him on any other farms in the same county.

(2) **Other farms in the State.**—If the net deductions computed for a landlord or tenant for any farms in a county exceed the net payments computed for him on other farms in the county, the amount of such excess deductions will be deducted from the payment computed for him for other farms in the State if the State committee finds that the crops grown and the practices adopted on the farms for which the deductions are computed substantially offset the contribution to the program made on such other farms.

#### Section 14.—CONSERVATION MATERIALS

Wherever it is found practicable, liming materials, superphosphate, potash, mixed fertilizer and other materials, upon request of the producer, may be furnished in lieu of payments by the Agricultural Adjustment Administration for carrying out soil-building practices approved for the farm. Materials shall be furnished only pursuant to a producer's request and agreement upon Form ACP-64. Wherever such material is furnished, a deduction shall be made from any payment due the grantee on this farm or any other farm.

If the producer uses any such material in a manner which is not in substantial accord with the purpose for which it was furnished, an additional deduction will be made for the material misused, equal to the amount of the original deduction for such material.

The deductions for materials or for misuse of materials will be deducted from payment due the person who obtained the materials on the same or any other farm in the county. In the event the amount of deduction exceeds the amount of the payment subject to deduction, the amount of such difference shall be paid by the producer to the Secretary.

Notwithstanding any other provision herein, upon request of the producer, conservation materials furnished by the Agricultural Adjustment Administration shall be in lieu of payments otherwise computed for the farm and no application for payment need be filed, if no deductions are applicable to the farm and the maximum payment computed for the farm prior to the increase for small payments is \$40.00 or less.

## Section 15.—GENERAL PROVISIONS RELATING TO PAYMENTS

**(1) Payment restricted to effectuation of purposes of the program.**—All or any part of any payment which otherwise would be computed for any person under the 1942 program may be withheld or required to be returned (a) if he adopts or has adopted any practice which tends to defeat any of the purposes of the 1942 or previous agricultural conservation programs, (b) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (c) if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Practices which tend to defeat the purposes of the 1942 program and the amount of the payment which shall be withheld or required to be refunded in each such case shall include, but shall not be limited to, the following cases:

(1) A landlord or operator, including the landlord of a cash or standing or fixed rent tenant, either by oral or written lease or operating agreement, or by an oral or written agreement supplementary to such lease or operating agreement, requires by coercion or induces by subterfuge his tenant or sharecropper to agree to pay to such landlord or operator all or a portion of any Government payment which the tenant or sharecropper has received or is to receive for participating in the 1942 Agricultural Conservation Program. **Amount to be withheld or refunded.**—The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(2) A landlord or operator requires that his tenant or sharecropper pay, in addition to the rental customarily paid in the community for similar land and use, a sum of money or any thing or service of value equivalent to all or a portion of the Government payment which may be, is being, or has been earned by the tenant or sharecropper. **Amount to be withheld or refunded.**—The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(3) A landlord or operator knowingly omits the names of one or more of his landlords, tenants, or sharecroppers on an application for payment form or other official document required to be filed in connection with the 1942 Agricultural Conservation Program, or knowingly shows incorrectly his or their acreage shares of a crop, or share of soil-building practices, or otherwise falsifies the record required therein to be submitted in respect to a particular farm, thereby intentionally depriving or attempting to deprive one or more landlords, tenants, or sharecroppers of any Government payment to which they are entitled. **Amount to be withheld or refunded.**—The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(4) A landlord or operator requires his tenant or sharecropper to execute an assignment, ostensibly covering advances of money or supplies to make a current crop, but actually for a purpose not permitted by the assignment regulations. **Amount to be withheld or refunded.**—The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(5) A person complies with the provisions of the program on a farm or farms operated by him as an individual, but causes or fails to prevent the substantial offsetting of such performance by the farming operations of a partnership, association, estate, corporation, trust, or other business enterprise in which he has a financial interest and the policies of which he is in a position to control. **Amount to be withheld or refunded**—The amount of the net deduction computed for such business enterprise.

(6) A partnership, association, estate, corporation, trust, or other business enterprise carried on its operations so as to qualify for payment, but one of the persons who is interested in and in position to control the operations or policies of such partnership, association, estate, corporation, trust, or other business enterprise, substantially offsets such performance by such person's individual

operations. **Amount to be withheld or refunded**—All or any part of the person's payments shall be forfeited except that the amount so forfeited shall not be less than the greater of the amount of the deduction incurred with respect to the person's farm or the person's share of the payment computed for the partnership, association, estate, corporation, trust, or other business enterprise, and the payments to the partnership, association, estate, corporation, trust, or other business enterprise, shall be reduced by the amount which the State committee finds or estimates is commensurate with his interest in such enterprise.

(7) A person operates farms in two or more States and substantially offsets his performance in one State by overplanting his farm in another State. **Amount to be withheld or refunded**—The net amount of the deduction which would be computed for such person for such overplanting if the farms were in the same State.

(8) A person rents land for cash, standing, or fixed rent to another person who he knows or has good reason to believe will offset such person's performance by substantially overplanting the acreage allotment for the farm which includes such rented land. **Amount to be withheld or refunded**—The net amount of the deduction which would be computed if the person were entitled to receive all the crops planted on the land so rented.

(9) A person participates in the planting, production, or harvesting of a crop on a farm other than a farm in which he admits having an interest. (A person shall be considered to be participating in the planting, production, or harvesting of a crop if the committee finds that he furnished labor, machinery, work stock, or financial assistance for the planting, production, or harvesting of such crop and that he has a financial interest in such crop.) **Amount to be withheld or refunded**—The proportion of the net amount of the deduction which would be computed for the farm which the committee determines was such person's interest in the crops planted, produced, or harvested.

(10) A tenant, in settling his obligations under a written or oral rental contract or operating agreement, or a written or oral contract or agreement supplemental or collateral thereto, pays or renders cash, standing rent, or fixed rent, or a share of the crop, or any service or thing of value, aggregating in value in excess of the rental customarily paid in the community for similar land and use, thereby diverting to the landlord or operator the whole or any part of any Government payment which the tenant is entitled to receive. The application of this rule shall be subject to the approval of the Regional Director. **Amount to be withheld or refunded**—The whole of any payment with respect to the farm which has been or otherwise would be made to such tenant. There shall be withheld from or required to be refunded by such landlord or operator the whole of the payments with respect to all of his farms under the program involved: *Provided, however*, That, where a tenant is renting for a share of the crop only and the tenant's share is 60 percent or less, only the landlord's or operator's payments shall be withheld or recovered.

(11) A landlord or operator forces or causes, by coercion, subterfuge, or in any manner whatsoever, a tenant or sharecropper to abandon a crop prior to harvest for the purpose of obtaining the share of the Government payment that would otherwise be made to the tenant or sharecropper with respect to such crop. **Amount to be withheld or refunded**—The entire payment which has been or otherwise would be made to such landlord or operator with respect to the farm.

(12) A person misuses or participates in the misuse of a marketing card with respect to any commodity for which marketing quotas are in effect or fails to file or knowingly falsifies any report required by or under the regulations pertaining to marketing quotas for the 1941-42 or 1942-43 marketing year and such misuse or failure to file or falsification of such report results in any erroneous or incomplete record pertaining to any farm in connection with marketing quotas. **Amount to be withheld or refunded**—The entire payment which has been or would otherwise be made to such person with respect to the farm.

(13) A person whose maximum payment computed without regard to the \$10,000 limitation is in excess of \$10,000 adopts practices which result in a substantial difference between the maximum payment so computed and the payment after applying all applicable deductions except the \$10,000 limitation and the deduction for administrative expenses. **Amount to be withheld or refunded**—The net payment to a person whose maximum payment computed without regard to the \$10,000 limitation is in excess of \$10,000 shall not exceed that amount which is the same percentage of \$10,000 as the payment computed after applying all applicable deductions, except the \$10,000 limitation and deduc-

tions for administrative expenses, is of the maximum payment computed without regard to the \$10,000 limitation, provided the State committee with the approval of the Regional Director and the Agricultural Adjustment Administration finds that the practices adopted apart from the net performance rendered tend to defeat the purposes of the program.

(2) No payments other than payments for soil-building practices will be computed for any farm which is not being operated in 1942. A farm will not be considered as operated in 1942 unless

(a) An acreage of land equal to at least one-half of the acreage in the allotments for the farm is devoted to one or more of the following uses:

- (1) Seeded to a crop for harvest in 1942.
- (2) A crop (other than wild hay) is harvested in 1942.
- (3) Summer fallowed in 1942.
- (4) Devoted in 1942 to seeded legumes or grasses (legumes or grasses seeded in a workmanlike manner in 1942, other than those seeded in the fall of 1942 will be counted).

(5) Seeded to small grains to be pastured in 1942 (other than small grains seeded in the fall of 1942).

(b) The State committee finds that normal cropping operations were prevented by conditions beyond the control of the operator, or

(c) Upon the recommendation of the State committee, the Regional Director finds that the farm is actually being operated in 1942.

(3) **Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.**—If on any farm in 1942 any change of the arrangements which existed on the farm in 1941 is made between the landlord or operator and the tenants or sharecroppers and the change would cause a greater proportion of the payments to be made to the landlord or operator under the 1942 program than would have been made to the landlord or operator for performance on the farm under the 1941 program, payments to the landlord or operator under the 1942 program for the farm will not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1941 had been continued in 1942, unless the county committee certifies that the change is justified and approves it.

If on any farm the number of sharecroppers or share tenants in 1942 is less than the average number on the farm during the three years 1939 to 1941, and this reduction would increase the payments that otherwise would be made to the landlord or operator, the payments to the landlord or operator will not be greater than the amount that otherwise would be paid, unless the county committee certifies that the reduction is justified and approves it.

The action of the county committee under the two preceding paragraphs is subject to approval or disapproval by the State committee.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1942 program has employed any other scheme or device (including coercion, fraud, or misrepresentation) the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has

been or would otherwise be made to such person in connection with the 1942 program.

(4) **Assignments.**—Any person who may be entitled to any payment in connection with the 1942 program may assign the payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1942. No assignment will be recognized unless the assignment is made in writing on ACP-69 in accordance with instructions in ACP-70, and unless the assignment is entitled to priority under the instructions issued by the Agricultural Adjustment Administration.

(5) **Deductions in case of erroneous notice of acreage allotment.**—In any case where, through error in a county or State office, the producer was notified on the official allotment notice of an acreage allotment or permitted acreage for a commodity larger than the final acreage allotment or permitted acreage for that commodity and the county and State committees find that the producer, acting upon information contained in the erroneous notice, planted an acreage to the commodity in excess of the final acreage allotment or permitted acreage, the producer will not be considered to have exceeded the acreage allotment or permitted acreage for such commodity, unless the acreage planted exceeds the allotment erroneously issued, and the deduction for excess acreage will be made only for the acreage in excess of the allotment erroneously issued.

(6) No payment will be made to any person who knowingly exceeds the cotton allotment for any farm.

(7) Administrative expenses for the program in the counties will be deducted pro rata from farm payments.

(8) In determining the ownership of a farm where an offer to purchase is accepted or an option or similar instrument for the purchase of a farm is executed prior to the time of harvest or prior to the time the landlord's application is approved by the county committee, whichever is the earlier, the purchaser shall be regarded as the owner of the farm when the offer to purchase is accepted or the option is exercised, or other instrument is executed and delivered, unless the seller reserves the right to the landlord's share of the crops on the farm.

#### Section 16.—APPLICATION FOR PAYMENT

(1) **Farms for which payment will be made.**—If for any farm NCR-603 is not executed, no payment will be made to any person for the farm. However, if for such farm the sum of the net deductions for all persons exceeds the sum of the net payments for all persons, the amount of the net deductions in excess of the net payments will be prorated among the persons for whom a net deduction is computed, on the basis of such computed net deductions. Such prorated deductions will be deducted from any net payment computed for such persons for any farm.

(2) **Time and manner of filing application and information required.**—Payment will be made only upon application submitted through the county office on or before March 31, 1943.

(3) **Applications for other farms.**—If a person applies for payment on one farm in a county and has the right to receive all or a portion of crops produced on another farm in the county, he must make application for payment on all such farms. Upon request by

the State committee any person will file with the committee any information it may request regarding any other farm in the State on which he has the right to receive all or a portion of the crops, or which he rents to another.

#### Section 17.—APPEALS

Any persons may, within 15 days after notice is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination on any of the following matters affecting any farm in which he has an interest as landlord, tenant, or sharecropper: (a) Eligibility to file an application for payment; (b) any acreage allotment, permitted acreage, normal or actual yield, measurement, or soil-building allowance; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment for the farm. The county committee will notify such person of its decision in writing within 15 days after receipt of the written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee will notify such person of its decision in writing within 30 days after the submission of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the North Central Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee will also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal will be given a full and fair hearing if he appears when the hearing thereon is held.

#### Section 18.—APPLICABILITY

The provisions of the 1942 program are not applicable to (1) any county for which a special program is in effect in 1942; (2) any department or bureau of the United States Government or any corporation wholly owned by the United States; and (3) lands owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership. Lands under (3) above include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior.

The program is applicable to certain lands owned by corporations which are only partly owned by the United States, such as Federal Land Banks and Production Credit Associations.

The program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land includes that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation.

#### Section 19.—SOIL BUILDING ALLOWANCE

(1) The **soil-building allowance** is the maximum payment that will be made for carrying out soil-building practices. It will be the sum of the following, but if the sum of the maximum payments for the farm, exclusive of the tree-planting allowance, is less than \$20, the amount determined under this paragraph (1) will be increased by the amount of the difference: *Provided*, That with prior approval of the State committee a group of persons in any local area may, in the interest of the community welfare, combine by written agreement all of the soil-building allowances for designated farms in which they are interested as landlords, tenants, or sharecroppers, for the performance of erosion control, forest tree planting and management, or perennial weed-control practices on any one or more of such farms. The soil-building allowance for any farm may be included in the combination only if all of the persons interested in the farm as landlord, tenant, or sharecropper execute the agreement. The soil-building practices to be performed and the farm or farms on which such practices are to be carried out shall be specified in the agreement. The soil-building payments earned under the agreement shall be divided among such persons on the basis of their respective contributions, as determined by the county committee, to the performance of such soil-building practices. Any payment so determined for a person shall be considered as a soil-building payment earned on the farm covered by the agreement in which such person has an interest as landlord, tenant, or sharecropper. Notwithstanding the foregoing provisions, if the State committee determines that a net deduction has been incurred on any farm included in the agreement and the persons on such farm have not offset the deduction by payments earned by contribution to the soil-building practices carried out under the agreement, the State committee shall exclude such farm from the agreement and the soil-building allowance for the farm will not be available under the agreement or on the individual farm.

(a) 70 cents per acre of cropland in the farm in excess of the special crop acreages for which payments are computed and the acreage of sugar beets planted for harvest in 1942 for the extraction of sugar.

(b) \$2.00 per acre of commercial orchards on the farm.

(c) A county flat rate per acre of noncrop open pasture land in the farm, based upon two cents per acre of such pasture land in the county, plus 90 cents for each animal unit of grazing capacity but not less than eight cents times the number of such acres, or eight cents times 2,000 acres, whichever is smaller.

(d) \$1.00 for each acre of commercial vegetables normally grown on the farm where the normal acreage is three acres or more.

(2) **Special tree-planting allowance.**—In addition to the soil-building allowance, a special tree-planting allowance of \$15 may be earned only by planting trees.

[The applicable soil-building practices are contained in Supplement I to this bulletin.]